

**Introduced by Senator Allen**

February 19, 2016

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An act to add Section 4074.5 to the Business and Professions Code, relating to pharmacy.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1346, as introduced, Allen. Pharmacists: drug labeling: medication guides: electronic delivery.

The Pharmacy Law provides for the licensure and regulation of pharmacists by the California State Board of Pharmacy. Existing law requires a pharmacist to inform a patient orally or in writing of the harmful effects of a drug dispensed by prescription, if the drug poses a substantial risk when taken in combination with alcohol or the drug may impair a person's ability to drive a motor vehicle, and the board requires that warning by regulation. Existing law also requires a pharmacist to include a written label on the drug container indicating that the drug may impair a person's ability to operate a vehicle or vessel if the pharmacist, in exercising his or her professional judgment, determines that the drug may impair a person's ability to operate a vehicle or vessel, as specified. Existing law authorizes the board to require by regulation additional information or labeling. A violation of the Pharmacy Law is a crime.

This bill would authorize a pharmacist to offer to a patient, as an alternative to a printed paper medication guide for a prescription drug as required by the United States Food and Drug Administration, the electronic delivery of the medication guide. The bill would authorize a pharmacist to deliver the medication guide by electronic means if the patient chooses electronic delivery. The bill would authorize the board to exempt a drug from that authorization by regulation.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 4074.5 is added to the Business and  
2     Professions Code, to read:  
3     4074.5. (a) Except as provided by regulation pursuant to  
4     subdivision (b), a pharmacist may do the following:  
5     (1) Offer to a patient, as an alternative to a printed paper  
6     medication guide for a prescription drug as required by the United  
7     States Food and Drug Administration, the electronic delivery of  
8     the medication guide.  
9     (2) Deliver the medication guide by electronic means if the  
10    patient chooses electronic delivery.  
11    (b) The board may by regulation exempt a drug from the  
12    authorization established in subdivision (a).